

## POSH – Why it is not another Legislation?

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Unlike other legislation which specific to Head Count or Industry or workspace or location.

It is neither

› **Head count specific**

- ▣ If the strength is less than 10, then any complaint can be made to Local Committee
- ▣ If the strength is 10 or more, then the establishment has to comply with constitution of Internal Committee, to whom the complaint can be made

› **Industry specific**

- ▣ Whether the establishment is,
  - Shop
  - Commercial Establishment
  - Factory
  - Mines
  - Catering establishment
  - Hospital
  - Plantation
  - Educational Institution (specific legislation is available)

- Motor Transport organization
  - Or any other establishment
  - And a place for Domestic work
- › Workspace specific
  - ▣ Workplace
  - ▣ Official transportation
  - ▣ Travel
  - ▣ Remote Working
  - ▣ Official Conferences/Meeting
  - ▣ Official tours/sports event/gatherings/other events, etc
  - ▣ Client meetings, etc
- › Location
  - ▣ Any part of India, irrespective of City or Rural or Village

**MOST IMPORTANTLY IT IS INDIVIDUAL SPECIFIC TO THE WOMEN WHO ENGAGED AS EMPLOYEE. THE AGGRIEVED WOMAN CAN BE ANY WOMAN PRESENT AT THE WORKPLACE.**

**And, the Non-compliance, leads to.....**

- › Penalty or Imprisonment or both
- › (cease to be Director for next 5 years)
- › Brand image (bad press) – reputational hazard
- › Attrition
- › Aversion by job applicants
- › Cancellation / Withdrawal / non-renewal of RC
- › Investor funding impact
- › Competitor advantage

**HENCE THIS LEGISLATION – SEXUAL HARASSMENT OF WOMAN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT is just not another legislation, which can MANAGED but to be COMPLIED FULLY.**

**Anandan S**

**Feature Writer, Skill Enhancer & Webinar Specialist**